

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00876-TNM**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 03/27/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JUDICIAL WATCH, INC.

represented by **Paul J. Orfaneedes**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: porfaneedes@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**

represented by **Kristin Brudy-Everett**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
Civil Division
555 4th Street NW
Washington, DC 20530
(202) 252-2536
Email: kristin.brudy-everett@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle D. Jackson
U.S. ATTORNEY'S OFFICE
Homicide Section
555 Fourth Street, NW
Washington, DC 20530
202-252-7230
Email: michelle.d.Jackson@usdoj.gov
TERMINATED: 05/15/2020
LEAD ATTORNEY

Denise M. Clark
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-6605
Fax: (202) 252-2599
Email: denise.clark@usdoj.gov
TERMINATED: 11/27/2019

Date Filed	#	Docket Text
03/27/2019	1	COMPLAINT against U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 400 receipt number 0090-6025105) filed by JUDICIAL WATCH, INC.. (Attachments: # 1 Civil Cover Sheet, # 2 Summons U.S. Attorney, # 3

		Summons U.S. Attorney General, # <u>4</u> Summons U.S. Department of Health and Human Services)(Orfanedes, Paul) (Entered: 03/27/2019)
03/27/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Orfanedes, Paul) (Entered: 03/27/2019)
03/27/2019		Case Assigned to Judge Trevor N. McFadden. (zef,) (Entered: 03/27/2019)
03/27/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 03/27/2019)
03/28/2019	<u>4</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 03/28/2019. (lctnm2) (Entered: 03/28/2019)
04/02/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/1/2019. (Answer due for ALL FEDERAL DEFENDANTS by 5/1/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/1/2019., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 4/1/2019 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Orfanedes, Paul) (Entered: 04/02/2019)
05/01/2019	<u>6</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Clark, Denise) (Entered: 05/01/2019)
05/01/2019		MINUTE ORDER. Before the Court are a Complaint and an Answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the Joint Status Report on or before June 3, 2019. Signed by Judge Trevor N. McFadden on 05/1/2019. (lctnm2) (Entered: 05/01/2019)
05/01/2019		Set/Reset Deadlines: Joint Status Report due by 6/3/2019. (hmc) (Entered: 05/01/2019)
05/31/2019	<u>7</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 05/31/2019)
06/04/2019		MINUTE ORDER. Upon considering the parties' <u>7</u> Joint Status Report, it is hereby ordered that the parties shall file a further Joint Status Report on or before August 2, 2019. The Joint Status Report should inform the Court about the Defendant's processing of the Plaintiff's request and how the parties wish to proceed in this matter. Signed by Judge Trevor N. McFadden on 06/04/2019. lctnm2) (Entered: 06/04/2019)
06/04/2019		Set/Reset Deadlines: Joint Status Report due by 8/2/2019. (hmc) (Entered: 06/04/2019)
08/02/2019	<u>8</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Clark, Denise) (Entered: 08/02/2019)
08/05/2019		MINUTE ORDER. Upon consideration of <u>8</u> Joint Status Report, the parties are hereby ORDERED to file a further Joint Status Report on or before October 2, 2019. Signed by Judge Trevor N. McFadden on 8/5/2019. (lctnm1) (Entered: 08/05/2019)
08/05/2019		Set/Reset Deadlines: Joint Status Report due by 10/2/2019. (hmc) (Entered: 08/05/2019)
10/02/2019	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Clark, Denise) (Entered: 10/02/2019)
10/02/2019		MINUTE ORDER. Upon consideration of <u>9</u> Joint Status Report, the parties are hereby ORDERED to file a further Joint Status Report on or before February 3, 2020. Signed

		by Judge Trevor N. McFadden on 10/2/2019. (lctnm2) (Entered: 10/02/2019)
10/03/2019		Set/Reset Deadlines: Joint Status Report due by 2/3/2020. (hmc) (Entered: 10/03/2019)
11/27/2019	<u>10</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Michelle D. Jackson on behalf of All Defendants Substituting for attorney Denise M. Clark (Jackson, Michelle) (Entered: 11/27/2019)
02/03/2020	<u>11</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Orfanedes, Paul) (Entered: 02/03/2020)
02/03/2020		MINUTE ORDER. Upon consideration of the <u>11</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further Joint Status Report on or before April 6, 2020. It is further ORDERED that the parties shall appear for a status conference on April 10, 2020, at 10:00 a.m. in Courtroom 2, before Judge Trevor N. McFadden. SO ORDERED. Signed by Judge Trevor N. McFadden on 2/3/2020. (lctnm2) (Entered: 02/03/2020)
02/04/2020		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/6/2020. Status Conference set for 4/10/2020 at 10:00 AM in Courtroom 2 before Judge Trevor N. McFadden. (hmc) (Entered: 02/04/2020)
03/26/2020		MINUTE ORDER. It is hereby ORDERED that the status conference scheduled for April 10, 2020, is VACATED. A joint status report remains due on or before April 6, 2020. The status report should inform the Court of any remaining disputes between the parties and propose a briefing schedule, if necessary. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/26/2020. (lctnm2) (Entered: 03/26/2020)
04/06/2020	<u>12</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 04/06/2020)
04/07/2020		MINUTE ORDER. Upon consideration of the <u>12</u> Joint Status Report, it is hereby ORDERED that the parties shall adhere to the following briefing schedule. Defendant shall file its motion for summary judgment on or before July 6, 2020. Plaintiff shall file its combined opposition and cross-motion for summary judgment on or before August 5, 2020. Defendant shall file its combined reply and opposition on or before August 19, 2020. Plaintiff shall file its reply, if any, on or before September 2, 2020. SO ORDERED. Signed by Judge Trevor N. McFadden on 4/7/2020. (lctnm2) (Entered: 04/07/2020)
04/07/2020		Set/Reset Deadlines: Defendant's Motion for Summary Judgment due by 7/6/2020. Plaintiff's Opposition and Cross Motion due by 8/5/2020. Defendant's reply and opposition due by 8/19/2020. Plaintiff's reply due by 9/2/2020. (zhmc) (Entered: 04/07/2020)
05/15/2020	<u>13</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Kristin Brudy-Everett on behalf of U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Substituting for attorney Michelle D. Jackson (Brudy-Everett, Kristin) (Entered: 05/15/2020)
07/02/2020	<u>14</u>	Consent MOTION to Amend/Correct <i>Briefing Schedule</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Brudy-Everett, Kristin) (Entered: 07/02/2020)